

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2008-026970

04/27/2012

HONORABLE MICHAEL J. HERROD

CLERK OF THE COURT
M. Sahli
Deputy

MARVIN L ERICKSON, et al.

DAN M DURRANT

v.

PAUL D MCKERNAN, et al.

BRYAN F MURPHY

LEO R BEUS
NAOMI O JORGENSEN
SALVADOR ONGARO

MINUTE ENTRY

The Court has before it the Joint Motion to Approve Settlement and For Entry of Bar Order filed by Plaintiffs and Defendants, Paul D. McKernan, Melody McKernan and Paul D. McKernan, M.D., P.C. No oral argument is necessary.

The Court has considered the Motion, the Response and the Reply. The Court has also reviewed the Order proposed by the Folkestad Defendants. Finally the Court has reviewed the sealed Settlement Agreement that is the subject of the Motion.

IT IS ORDERED that the Court approves the confidential Settlement Agreement between Plaintiffs and the McKernan Defendants.

IT IS FURTHER ORDERED barring the non-settling Folkestad Defendants from seeking a claim for contribution or indemnification from the McKernan Defendants concerning any judgment or recovery from the Folkestad Defendants on Plaintiffs' claims.

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IT IS FURTHER ORDERED that nothing in this Order bars any Folkestad claims under partnership law for contribution to costs of defense and attorneys fees, but this order only concerns the claims of Plaintiffs for damages.

IT IS FURTHER ORDERED that any future verdict or judgment against the Folkestad Defendants shall be as to their liability only, and shall not be joint and several.

ALERT: The Arizona Supreme Court Administrative Order 2011-140 directs the Clerk's Office not to accept paper filings from attorneys in civil cases. Civil cases must still be initiated on paper; however, subsequent documents must be eFiled through AZTurboCourt unless an exception defined in the Administrative Order applies.